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Application No.: 10/663,487

Docket No.: SPINE 3.0-437 CPCPCPCPCPCPCP I CON II

## IN THE CLAIMS

 (currently amended) A spinal orthopedic device and tool set, comprising:

an intervertebral spacer device having first and second baseplates mounted to one another such that the first and second baseplates are articulatable relative to one another, wherein each of the baseplates has an angled perimeter; and

a manipulation tool having a correspondingly angled distal end including a wedge-shaped extension projecting therefrom, the wedge-shaped extension located between top angled surfaces and bottom angled surfaces of the distal end such that when the correspondingly angled distal end of the manipulation tool is engaged with the angled perimeter of the at least one of the baseplates relative to the correspondingly angled distal end of the manipulation tool is limited by interference between the angled perimeter of the at least one of the baseplates and the correspondingly angled distal end including the wedge-shaped extension of the manipulation tool, such that the at least one of the baseplates is manipulatable using the manipulation tool;

wherein the angled perimeters of the <u>first</u> and <u>second</u> baseplates are simultaneously engageable with the <u>correspondingly angled distal end including the wedge shaped</u> <u>extension of top and bottom angled surfaces of the manipulation tool— such that the first and second baseplates are lordotically angled with respect to one another when the manipulation tool is engaged to the first and second baseplates.</u>

2. (original) The spinal orthopedic device and tool set of claim 1, wherein the angled perimeters of the baseplates are similarly configured. Application No.: 10/663,487

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- (currently amended) The spinal orthopedic device and tool set of claim 2, wherein the angled perimeter of the first and second baseplate each comprises three flat surfaces forming two protruding corners-of the first baseplate, a first of the flat perimeter surfaces converging with a second of the flat perimeter surfaces to form a first of the protruding corners, the first of the flat perimeter surfaces converging with a third of the flat perimeter surfaces to form a second of the protruding corners;, and wherein the angled perimeter of the second baseplate comprises three flat perimeter surfaces forming two protruding corners of the second baseplate, a first of the flat perimeter surfaces converging with a second of the flat perimeter surfaces to form a first of the protruding corners, the first of the flat perimeter surfaces also converging with a third of the flat perimeter surfaces to form a second of the protruding corners;, and wherein correspondingly angled—top angled surfaces and bottom angled surfaces of the distal end of the manipulation tool comprises three flat surfaces forming two recessed corners-of the correspondingly angled distal end of the manipulation tool, a first of the flat surfaces converging with a second of the flat surfaces to form a first of the recessed corners, the first of the flat surfaces also converging with a third of the flat surfaces to form a second of the recessed corners.
- 4. (currently amended) The spinal orthopedic device and tool set of claim 3, wherein the intervertebral spacer device is engageable for manipulation using the manipulation tool by positioning the first protruding corners in the first recessed corners, and positioning the second protruding corners in the second recessed corners.

- 5. (currently amended) The spinal orthopedic device and tool set of claim 4, wherein the intervertebral spacer device is also engageable for manipulation using the manipulation tool by positioning the first protruding corners in the second recessed corners.
- 6. (currently amended) The spinal orthopedic device and tool set of claim 5, wherein the intervertebral spacer device is also engageable for manipulation using the manipulation tool by positioning the second protruding corners in the first recessed corners.
- 7. (currently amended) The spinal orthopedic device and tool set of claim 4, wherein the intervertebral spacer device is also engageable for manipulation using the manipulation tool by positioning the second protruding corners in the first recessed corners.
  - 8. (canceled).
- 9. (original) The spinal orthopedic device and tool set of claim 3, wherein the first flat perimeter surfaces face an anterior aspect of the intervertebral spacer device.
- 10. (original) The spinal orthopedic device and tool set of claim 9, wherein the second flat perimeter surfaces face a left antero-lateral aspect of the intervertebral spacer device, and the third flat perimeter surfaces face a right antero-lateral aspect of the intervertebral spacer device.
  - 11. (canceled).

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- 12. (currently amended) The spinal orthopedic device and tool set of claim 113, wherein the intervertebral spacer device is engageable for manipulation using the manipulation tool by positioning the first protruding corner of the first baseplate in the first upper—recessed corner of the top angled surfaces, and positioning the second protruding corner of the first baseplate in the second upper—recessed corner of the top angled surfaces, and positioning the first protruding corner of the second baseplate in the first lower—recessed corner of the bottom angled surfaces, and positioning the second protruding corner of the second baseplate in the second protruding corner of the second baseplate in the second lower—recessed corner of the bottom angled surfaces.
- 13. (currently amended) The spinal orthopedic device and tool set of claim 12, wherein the intervertebral spacer device is also engageable for manipulation using the manipulation tool by positioning the first protruding corner of the first baseplate in the second upper recessed corner of the top angled surfaces, and positioning the first protruding corner of the second baseplate in the second lower recessed corner of the bottom angled surfaces.
- 14. (currently amended) The spinal orthopedic device and tool set of claim 13, wherein the intervertebral spacer device is also engageable for manipulation using the manipulation tool by positioning the second protruding corner of the first baseplate in the first upper—recessed corner of the top angled surfaces, and positioning the second protruding corner of the second baseplate in the first lower—recessed corner of the bottom angled surfaces.

15. (currently amended) The spinal orthopedic device and tool set of claim 12, wherein the intervertebral spacer device is also engageable for manipulation using the manipulation tool by positioning the second protruding corner of the first baseplate in the first upper—recessed corner of the top angled surfaces, and positioning the second protruding corner of the second baseplate in the first lower—recessed corner of the bottom angled surfaces.

## 16-18. (canceled).

19. (currently amended) A spinal orthopedic device and tool set, comprising:

an intervertebral spacer device having first and second baseplates mounted to one another such that the first and second baseplates are articulatable relative to one another, wherein each of the baseplates has an angled perimeter; and

a manipulation tool having a correspondingly angled distal end including two sets of angled faces separated by a wedge-shaped extension extending therefrom, the two sets of angled faces corresponding to the angled perimeters of the first and second baseplates such that when the correspondingly angled distal end of the manipulation tool is engaged with the angled perimeter of the baseplates, movement of the baseplates relative to the correspondingly angled distal end of the manipulation tool is limited by interference between the angled perimeter of the baseplates and the correspondingly angled distal end of the manipulation tool in at least three separate surgical approach aspects, such that the at least one of the baseplates is manipulatable using the manipulation tool in each of the at least three separate surgical approach aspects.

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wherein the angled perimeter of the baseplates <u>each</u> includes a plurality of flat surfaces adjacent one another and the two sets of angled faces of the <del>correspondingly angled</del> distal end of the manipulation tool each include a central flat surface flanked by two flat surfaces. and

wherein the at least one of the baseplates is engageable for manipulation using the manipulation tool by positioning the central flat surfaces of the manipulation tool against any one of the plurality of flat surfaces of each of the baseplates, such that the at least one flanking flat surface of the manipulation tool is against another of the plurality of flat surfaces of each of the baseplates.

## 20. (canceled).

- 21. (new) The spinal orthopedic device and tool set of claim 1, wherein the manipulation tool has a longitudinal axis.
- 22. (new) The spinal orthopedic device and tool set of claim 21, wherein the top and bottom angled surfaces each include a central flat surface flanked by two flat surfaces, the central flat surfaces each including a plane parallel thereto.
- 23. (new) The spinal orthopedic device and tool set of claim 22, wherein the plane of the central flat surface of the bottom angled surfaces is perpendicular to the longitudinal axis of the manipulation tool.
- 24. (new) The spinal orthopedic device and tool set of claim 23, wherein the plane of the central flat surface of the top angled surfaces is angled with respect to the plane of the central flat surface of the bottom angled surfaces.

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25. (new) The spinal orthopedic device and tool set of claim 19, wherein the manipulation tool has a longitudinal axis.

- 26. (new) The spinal orthopedic device and tool set of claim 25, wherein the two sets of angled faces each include a plane parallel thereto.
- 27. (new) The spinal orthopedic device and tool set of claim 26, wherein the plane of the central flat surface of a first of the two sets of angled faces is perpendicular to the longitudinal axis of the manipulation tool.
- 28. (new) The spinal orthopedic device and tool set of claim 27, wherein the plane of the central flat surface of the second of the two sets of angled faces is angled with respect to the plane of the central flat surface of the first of the two sets of angled faces.